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Summary
JULY 1970



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SUDBURY

area study

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SUMMARY *

SUDBURY AREA STUDY

COMMISSIONER

J. A. KENNEDY, Q.C.

* Prepared by The Municipal Research Branch,
Department of Municipal Affairs. The Report is
an expression of opinion by the Commissioner and
is not a government policy statement. Page
references are included to show where particular
points are discussed in the Report.

Copies of the Sudbury Area Study may be obtained
at any clerk's office in the Sudbury area or by
writing directly to The Department of Municipal
Affairs, 801 Bay Street, Toronto 5, Ontario.

CHAPTER I
GENERAL PRINCIPLES
OF THE
FEDERAL GOVERNMENT

Section 1. The Federal Government is a government of laws, and its primary duty is to execute the laws of the United States. It is not a government of men, and its officers are not to be regarded as individuals, but as representatives of the government. The Federal Government is a government of the people, and its power is derived from the people. It is a government of the whole, and its power is not limited by the boundaries of any one State. The Federal Government is a government of the future, and its duty is to secure the happiness and prosperity of the people for all time to come.

SUMMARY

SUDBURY AREA STUDY

GENERAL

The Commissioner, Mr. J. A. Kennedy, recommends that a two-tier municipal structure be established in the Sudbury area to administer and discuss subjects of general and common interest. Two major considerations influenced this decision: the attitude of the citizens of the area; and the importance of planning in local government.

The majority of people in the area favoured maintenance of present municipal boundaries and increased revenues to provide services "more on a par with southern Ontario". Mr. Kennedy contends that some municipal consolidation is as much as most people were willing to support. At the same time there was a general opinion that some regionalizing would have to come (pp 3-6).

In reviewing the various alternatives for reform, Mr. Kennedy rejects a one-tier system even though he believes that the amalgamation of almost the entire study area would actually be in the best long-term social and economic interests of the inhabitants (p5). This alternative, however, was entirely unacceptable to the people and was thus discarded by the Commissioner.

Mr. Kennedy states that a two-tiered regional government system of the kind introduced elsewhere in the Province similarly received relatively little support in the Sudbury area (p 6).

All of the recommendations were discussed with civic leaders, public bodies, and interested citizens before they were proposed by the Commissioner (pp 15-16).

THE COMMISSION

THE COMMISSION

The Commission, Mr. J. J. Kennedy, Chairman, has a two-
part mission: to establish in the industry area to
be studied and discuss matters of general and special interest. The
major consideration is the industry and the status of the
industry of the state, and the importance of planning in local
government.

The subject of the study is the new physical relationship of
present physical boundaries and interests between a few
sectors of the state and the other sectors. Mr. Kennedy believes
that some fundamental considerations as to how the state should
be organized. It is the hope that there will be a general feeling
that some fundamental considerations would be in the line of the

in reviewing the various relationships between
the various sectors of the state and the other sectors. It is
the hope that the various sectors will be able to actually
in the state and the other sectors. It is the hope that the
various sectors will be able to actually in the state and the
other sectors. It is the hope that the various sectors will be
able to actually in the state and the other sectors.

Mr. Kennedy states that a two-stage regional government
system of the kind introduced elsewhere in the United States
is not a realistic idea in the United States.

All of the recommendations are discussed with civil
leaders, public bodies, and interested citizens. They were
presented by the Commission on 11-11.

Area and Boundaries

The proposed municipal structure would consist of the core City of Sudbury and five suburban townships. Table 1 shows the present areas that would constitute these proposed area municipalities and their populations. The exact boundaries of the townships and the enlarged city are illustrated by the accompanying map.

The Regional Council

The proposed regional council is composed of seventeen members from the lower-tier councils as follows:

	<u>Members</u>	<u>Population</u>
The City of Sudbury	8	94,000
The Townships of Waters et al	1	7,500
The Townships of Dowling et al	1	8,300
The Townships of Balfour et al	1	13,200
The Townships of Valley East et al	3	17,000
The Townships of Neelon and Garson et al	2	17,000
		(p 34)

The concept of representation by population is not strictly applied -- the Commissioner believes it necessary to maintain a balance of interests between the core city and the townships to prevent urban domination (p 34).

City and Township

The proposed municipal structure would consist of the City of Albany and five suburban townships. Table 1 shows the present areas that would constitute these proposed new municipalities and their populations. The lower population of the townships and the larger city are illustrated by the accompanying map.

The Municipal Council

The proposed municipal council is composed of six members, three from the City and three from the townships as follows:

<u>Population</u>	<u>Members</u>	
14,000	2	The City of Albany
7,500	1	The Township of Albany
5,300	1	The Township of Albany
13,500	2	The Township of Albany
17,000	3	The Township of Albany
17,000	2	The Township of Albany
(p. 34)		

The concept of representation by population is not actually applied -- the Commission believes it necessary to maintain a balance in interests between the city and the townships to prevent urban domination (p. 34).

Election of regional councillors would be by the "indirect" method. The Commissioner thinks that indirect election would lead to more understanding and co-operation between the two levels of government. Accordingly, he recommends that the regional council include the head of each lower-tier council and all the members of the city board of control. Additional members from each lower-tier council should be the councillor(s) who received the highest percentage of votes cast in their respective wards (p 37).

The Commissioner advocates a two-year term of office with elections coinciding with school board elections in order to generate interest among the electorate (p 37, 38).

The Chairman should be appointed annually by the council from among their number and should be a representative of the core city and suburban areas in alternate years (p 35). The Commissioner strongly recommends that policy and administration be clearly separated and that a chief administrative officer be hired to enforce the legislation and carry out council policy (p 36).

Functions

Mr. Kennedy recommends that only a limited number of responsibilities be transferred to the regional council. The following should remain local council functions: water; sewers; local streets; police and fire protection; parks and other distinctly local services (p 23).

Planning: Mr. Kennedy is concerned with the alarming lack of land use planning in the municipalities and emphasizes the importance of planning in local government. He strongly urges that the regional council be given exclusive jurisdiction over planning (p 26). His reasons are several, and include the need for efficiency and action in the public interest, and the difficulty of distinguishing between local and regional matters (pp 24-26). He suggests several

safeguards, however, which would protect local interests: (1) the system of indirect election which would ensure that local councillors sit on the Regional Council; (2) branch planning offices whose staff could be responsible for different parts of the total area; and (3) a right of review of the Regional Council's planning decisions by the local councils. This appeal could be made to the Minister of Municipal Affairs or to the Ontario Municipal Board.

The Regional Council or the statute establishing regional government in the area could determine whether a planning board should be established. The Commissioner recommends that there be an advisory planning board but that regional councillors be ineligible for membership and prohibited from appearing before or making representations to the board (p 27).

Building Standards: Building standards, building by-laws and the issue of building permits should be regional functions. Mr. Kennedy thinks that more sophisticated building standards and minimum requirements are needed and this would be best accomplished by an area authority (pp 28-29).

Licensing: Licensing could be transferred to the regional council or be administered by the police commission in the city and by the local councils in the townships (p 29).

Social and Family Services: Mr. Kennedy recommends that responsibility for welfare assistance be placed under a single authority. He also suggests that other authorities presently concerned with health and social services continue to exist, but that the regional council be given responsibility for appointment and any other duties, including taxation, in respect of these authorities (p 30).

Finance. The revenues necessary to meet the budget of the regional council should be apportioned and requisitioned from each lower-tier council. Mr. Kennedy further recommends that all long-term capital borrowing be the responsibility of the regional council as a municipality with a broader tax base will be able to borrow to advantage (p 31).

Roads: Initially responsibility for all roads should remain with the lower-tier councils. However, the Commissioner recommends that the Regional Council with provincial advice prepare a study within one year which could be used to determine which roads should be administered by the Regional Council (p 32).

Mr. Kennedy also makes a number of related recommendations:

The two existing conservation authorities should be united and their jurisdiction extended to include at least part of the Vermillion River (p 39).

As the hospitals in Sudbury serve the whole area, the Commissioner recommends that the municipal share of the capital costs of hospitals be made the responsibility of the regional council (p 40).

The Commissioner points out the need for a study of separate school revenues and their relation to the new tax on mining facilities (p 41).

There is a great need for control of development in the unorganized areas, and the Commissioner recommends that permits for land use and development be administered by an official whose decisions would be subject to review by the Executive Council (p 43).

The Commissioner believes that there is a need for a cohesive policy for all of the regional governments in Ontario. He recommends the development of general regional government legislation (p 44).

Mr. Kennedy believes that gradual change generates less opposition and permits slower and sounder integration, and therefore recommends that another study be initiated in three years by the Regional Council in conjunction with the Northern Affairs Branch of the Department of Mines, and with the Department of Municipal Affairs (p 45).

TABLE 1

PROPOSED MUNICIPALITIES

<u>Proposed Municipality</u>	<u>Constituent Municipalities</u>	<u>Population</u>
City of Sudbury	City of Sudbury Town of Copper Cliff Geographic townships of Broder and Dill	94,000
Township of Waters et al	Town of Lively Townships of Waters and Drury, Denison and Graham	7,500
Township of Dowling et al	Town of Levack Township of Dowling Improvement District of Onaping Geographic townships of Cartier, Levack, Trill, Fairbank and Cascaden	8,300
Township of Balfour et al	Townships of Balfour and Rayside southern portions of Geographic townships of Lumsden and Snider	13,200
Township of Valley East et al	Town of Capreol Township of Valley East Geographic townships of Norman and southern part of Hutton	17,000
Township of Neelon and Garson et al	Town of Coniston Townships of Neelon and Garson, and Falconbridge Geographic townships of Dryden, Cleland, MacLennan, and Scadding	13,000

DIVISION OF FUNCTIONS

Lower-Tier Council Functions

Water

Sewers

Local Streets

Police

Fire Protection

Parks

Regional Council Functions

Planning

Building Standards

Licensing

Welfare Assistance

Taxation

Capital Borrowing

proposed municipal boundaries



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